

## MEDIA FACT SHEET

### Germany in Context: Europe Abortion Laws 2026

Across Europe, countries are showing that progress on abortion rights is possible, even as abortion rights face global pressure. While in recent years Germany has taken some important steps to improve access to abortion and protect those seeking and providing reproductive health care, Germany has yet to undertake comprehensive reforms to modernise its abortion legislation, as recommended by the government-appointed Expert Commission on Reproductive Self-Determination and Reproductive Medicine in 2024. In Germany, abortion continues to be regulated in the Criminal Code, and regulatory, financial and other barriers continue to impede access to care.

#### HIGHLIGHTS

**1. Germany's legal framework on abortion remains an anomaly in Europe.**

Germany is among the 43 European countries that allow abortion on request at least in early pregnancy. However, it is also one of only six EU Member States where abortion remains regulated through the Criminal Code. The German Criminal Code considers abortion to be a crime while specifying that, in certain instances, abortion will not be punishable. This type of legal framework is an anomaly in Europe and subjects those seeking abortion care to harmful stigma and stereotypes.

**2. Germany's law imposes a 3-day mandatory waiting period and directive counselling on access to abortion care.**

Germany is one of a few countries in Europe that continue to impose mandatory directive counselling and mandatory waiting period requirements on access to abortion care. In recent years, several countries, including France, Luxembourg and Spain, have removed these harmful barriers from their laws. Of the 43 European countries that allow abortion on request, 29 do not impose any form of mandatory delay, and in Europe, the norm is not to impose mandatory counselling prior to abortion.

**3. Germany's law continues to criminalise women who have abortions outside legal pathways.**

Germany is one of 20 European countries that still criminalise women who have abortions outside legal pathways. Across Europe, 29 countries no longer criminalise women in relation to their own abortions. Germany also continues to criminalise those who provide abortions outside the legal framework.

**4. Cost remains a barrier to abortion access.**

Abortion on request is generally not covered by statutory health insurance in Germany and must be paid for out of pocket. Although financial support is available for people on low incomes, many women do not qualify and may face significant cost barriers that can delay or prevent access to timely abortion care.

**5. Expert Commission recommends legal reforms.**

In April 2024, the government-appointed Expert Commission on Reproductive Self-Determination and Reproductive Medicine found that the current regulation of abortion in Germany falls short of international human rights standards and public health guidelines

and is out of step with European standard practice. The Commission has [recommended](#) a series of important legal changes.

## KEY NUMBERS: GERMANY IN EUROPE

- ✓ **43 out of 49** European countries, including Germany, allow abortion on request at least in early pregnancy.
- ✓ **21 countries**, including Germany, have enacted reforms to improve access to abortion care in the past decade.
- ✗ **20 countries**, including Germany, still criminalise women who have abortions outside legal pathways.
- ✗ **14 countries** that allow abortion on request, including Germany, still impose mandatory waiting periods.
- ✗ **3 countries** (Germany, Georgia and Hungary) impose mandatory counselling sessions that are directive and aimed at discouraging abortion.
- ✗ **21 countries** provide abortion care free of charge in all circumstances or ensure it is covered under mandatory health insurance schemes. Germany is not among them.

## RECENT EUROPEAN DEVELOPMENTS

Most recent developments across Europe show that countries are continuing to repeal restrictive laws, remove barriers to care and strengthen legal protections for abortion rights.

### 1. **Constitutional protection is emerging as a safeguard against rollback.**

In June 2026, Luxembourg became the second country in the region, after France in 2024, to explicitly enshrine the freedom to access abortion in its Constitution. Constitutional reform efforts are currently underway in Belgium, Sweden and Spain.

### 2. **Criminalisation of abortion is increasingly being questioned.**

In April 2026, England and Wales repealed criminal law provisions criminalising women for accessing abortion care outside of legal pathways, and pardoned those previously convicted. Across Europe, 29 countries no longer criminalise women in relation to their own abortions.

### 3. **Even long-standing restrictive abortion laws are no longer politically immovable.**

In 2025-2026, the jurisdictions of Jersey and the Faroe Islands both legalised abortion on request. Reforms to legalise or decriminalise abortion are being considered in a few countries, including Andorra, Belgium, Liechtenstein, Poland and Scotland.

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